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STIPULATED MOTION TO CANCEL HEARING AND
[PROPOSED] ORDER (Case No. 3:08-cv-01409-WHA)

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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SIERRA CLUB, GREAT BASIN RESOURCE) Case No. 3:08-cv-01409-WHA
WATCH, AMIGOS BRAVOS, and IDAHO)
CONSERVATION LEAGUE,)
Plaintiffs,) STIPULATED MOTION TO CANCEL
v.) HEARING AND [PROPOSED] ORDER
STEPHEN JOHNSON, Administrator, United)
States Environmental Protection Agency, and)
MARY E. PETERS, Secretary, United States)
Department of Transportation,)
Defendants.)

On April 10, defendant-intervenor-applicants Superfund Settlements Project, et al. moved this court for intervention. The motion was noted for hearing on May 22, 2008. Both plaintiffs Sierra Club, et al. and defendants Stephen Johnson, et al. filed responses indicating that each took no position on the motion to intervene. Plaintiffs and defendant-intervenor-applicants now respectfully request that this Court grant the motion to intervene without holding a hearing. Undersigned counsel were unable to reach defendant's counsel for purposes of this stipulation.

Respectfully submitted this 22nd day of May, 2008.

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[PROPOSED] ORDER

It is so ordered.

DATED this _____ day of May, 2008.

THE HONORABLE WILLIAM H. ALSUP
United States District Court Judge